

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2010-____-C

IN RE:	Petition of the Office of Regulatory)	PETITION OF THE OFFICE OF
	Staff for a Declaratory Order Against)	REGULATORY STAFF FOR AN
	Jacobs-Rabons Communications, LLC)	ORDER REQUIRING
	And Fiber One Consulting, LLC)	CERTIFICATION AS A
	Requiring Certification as a Telephone)	TELEPHONE UTILITY
	<u>Utility</u>)	

The Office of Regulatory Staff, by filing this petition, would respectfully show and request of the Commission:

1. That the Public Service Commission of South Carolina (“the Commission”) is a state agency with its business offices located in Columbia, South Carolina and that the Commission is responsible for the regulation of telephone utilities as set forth in S.C. Code Ann. § 58-9-10 et seq. (Supp. 2009), and that the Office of Regulatory Staff (“ORS”) is a state agency charged with the duty to represent the public interest pursuant to S.C. Code Ann. § 58-4-10 (Supp. 2009), *et seq.* and to make inspections, audits, and examinations of public utilities regarding matters within the jurisdiction of the Commission.

2. That upon information and belief Jacobs-Rabons Communications LLC (“JR,” or “Respondent”) with the address of its registered agent, Kenneth C. Hanson, at 6156 Saint Andrews Road, Suite 101, Columbia SC 29212, charges for telephone service in the Rabons Farm subdivision in Northeast Columbia, South Carolina. (See Exhibit A).

3. That Respondent is providing and/or reselling telephone service in Richland County, South Carolina for compensation without first obtaining a certificate of public convenience and necessity as required by S.C. Code Ann. §58-9-280 (Supp. 2009).

4. That upon information and belief Fiber One Consulting LLC (“FiberOne” or “Respondent”) with the address of its registered agent, John Anthony Hollingsworth III, at 1801 Hampton Street, Columbia SC 29201 has charged for telephone service and appears to be providing phone, internet and cable service on a wholesale basis to JR. (See Exhibit B invoice and letter).

5. That Respondents are not certificated by the Commission as a telephone utility lawfully authorized to resell, provide, supply, or furnish telephone service for compensation in the State of South Carolina. As uncertificated companies, Respondents have never filed any of the documents, reports, or other instruments required of such companies under South Carolina law with either the ORS or the Commission and have not contributed to the State Universal Service Fund and the Telecommunications Relay service funds, or paid gross receipts.

6. That upon information and belief, Respondents are providing and/or reselling telephone service in Richland County, South Carolina under the name Jacobs-Rabons Communications, LLC. (See Exhibit C – Complaint filed by customer with ORS).

7. That, therefore, Respondents must apply to the Commission for a Certificate of Public Convenience and Necessity to provide or sell telephone service in Richland County, South Carolina whether on a retail or wholesale basis. Further, Respondents must submit tariffs to the Commission setting forth the rates and fees charged.

WHEREFORE, the ORS prays that the Commission:

1. If the Respondents are found to be telephone utilities under S.C. Code Ann. § 58-9-10 *et seq.*, order Respondents or such other proper person or entity to:

(a) apply pursuant to S.C. Code Ann. §58-9-280 (Supp. 2009) for a Certificate of Public Convenience and Necessity to operate the telephone utility;

(b) file a tariff with the Commission setting forth the rates to be charged for the provision of the utility services pursuant to S.C. Code Ann. §58-9-230 (Supp. 2009) and 26 S.C. Code Ann. Regs. 103-612 and 103-629 (Supp. 2009); and

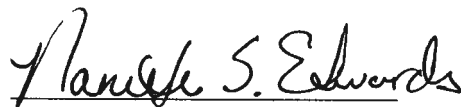
(c) comply with those Commission orders, rules and regulations that apply to telephone utilities including but not limited to, payment into the State Universal Service Fund and payment of gross receipts.

2. Order Respondents to comply with Commission rules and regulations and file information identifying the Authorized Utility Representative of that company and to file annual reports with the Commission as mandated by 26 S.C. Code Ann. Regs. 103-612 and 103-618 (Supp. 2009).

3. Order Respondents to cease charging current fees for telephone service.

4. Order Respondents to file an application for a certificate of public convenience and necessity.

5. Order any additional action or relief which the Commission may deem necessary.



Nanette S. Edwards
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201
Ph: (803) 737-0800
Fax: (803) 737-0575
Email: nsedwar@regstaff.sc.gov

October 19, 2010
Columbia, South Carolina

Jacobs-Rabons Communications, LLC
 PO Box 291225
 Columbia, SC 29229

EXHIBIT A
Statement

Phone #	Date
[REDACTED]	9/3/2010

To:
[REDACTED]
Columbia, SC 29223

Terms	Pay Online	Due Date	Account #
Net 15	http://jrcommunications.blogspot.com	9/18/2010	[REDACTED]
Date	Transaction	Amount	Balance
08/03/2...	Balance forward		71.95
08/16/2...	PMT #689.	-71.95	0.00
09/03/2...	INV #1721. Due 09/18/2010.	71.95	71.95
	--- Double Play, 1 @ \$99.95 = 99.95		
	--- HOA Credit, 1 @ \$35.00 = -35.00		
	--- Sales Tax, 1 @ \$7.00 = 7.00		
	--- Tax: Out of State @ 0.0% = 0.00		
			Amount Due
			\$71.95

✓

CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due
71.95	0.00	0.00	0.00	0.00	\$71.95

Hanson Law Firm, P.A.

Exhibit A - Page 2

Kenneth C. Hanson
Kenneth D. Kolb, Jr.
Walter M. Riggs

6156 St. Andrews Road, Suite 101
Columbia, South Carolina 29212
Facsimile (803) 750-0203

Telephone
(803) 798-9446

October 13, 2010

**Mr. Chris Rozycki
Manager, Telecom Programs
S.C. Office of Regulatory Staff
1401 Main Street; Suite 900
Columbia, SC 29201**

RE: JR Communications

Dear Mr. Rozycki:

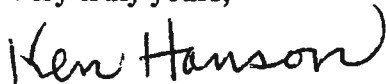
I have been advised that I provided you incorrect information regarding our telephone service through JR Communications. I am told that we do not provide telephone services or resell telephone services through JR Communications.

Rather, we bill our clients "on behalf" of the telephone service provider; therefore, we are not regulated by the "Telecommunications Act of 1996", and are not required to apply before the Public Service Commission to regulate its local telecommunications services in accordance with Order Number 98-165, Docket Number 97-467-C, and the South Carolina Code Annotated Section 58-9-585.

Naturally, if you need clarification regarding our operation and services, please let me know, and I shall provide the same to you as quickly as possible. (We are still negotiating with Time Warner Cable, and still hope to be out of this business soon).

With kindest regards, I am,

Very truly yours,



**Kenneth C. Hanson
KCH/dh
cc: JR Communications, LLC**

EXHIBIT B

FIBER ONE CONSULTING, LLC

PO BOX 991
Columbia SC 29202
Phone 803-978-6100



COLUMBIA, SC 29223

Invoice Number: [REDACTED]
Account Number: [REDACTED]
Account Pin: [REDACTED]
Total Amount Due: \$166.50
Invoice Date: 2009-08-01
Due Date: 2009-08-25

Services			Summary	
Service	RC *	NRC	Previous Bill:	319.23
Base Voice Residential	35.00	0.00	Payments:	133.70
Base Video Residential	40.00	0.00	Adjustments:	152.73
Base Data Residential	40.00	0.00		
Digital Set Top Box	9.95	0.00	Balance Forward:	32.80
Total:	\$124.95	\$0.00	Recurring Charges (RC):	124.95
			Non-Recurring Charges (NRC):	0.00
			New Call Charges:	0.00
			Late Fees:	0.00
			Taxes & Surcharges:	8.75
			Discounts:	0.00
			Total New Charges:	133.70
			Total Amount Due:	\$166.50

You can pay online with a credit card at www.fiber1sc.com or call 803-978-6100

* If you are a new customer, the recurring charges for your services will include pro-rated charges from the previous month as well as the regular recurring charges for the current month.

Hanson Law Firm, P.A.
Suite 101, Charlestowne Court

6156 St. Andrews Road
Columbia, SC 29212

803-798-9446
Fax 803-750-0203

January 8, 2010

To: All subscribers of services by Fiber One and
Residents of Rabon Farms or Jacobs Creek

From: Kenneth C. Hanson for the Homeowners Associations

Re: Fiber One \$35.00 technology credit

It has come to the attention of the respective Home Owners Associations (HOA) that several of Fiber One's Customers have called Fiber One to determine how best to handle the \$35.00 credit from the HOA dues to their Fiber One Bill. Apparently, our homeowners have been given incorrect information by the customer service representatives of Fiber One and have been told that there is not a \$35.00 credit to their Fiber One services. This is incorrect!

All homeowners that have paid their homeowners dues and assessments and are also Fiber One Customers are authorized to deduct \$35.00 from their monthly Fiber One bill. This is true whether you have one, two or three of Fiber One's services. Persons that do not subscribe to any internet, television, or telephone services through the bundled service provider are required to pay the \$35.00 technology fee as outlined in the subdivision Restrictive Covenants and their initial agreement under the terms and conditions of their contract to purchase in these subdivisions.

While I realize that the services and the information provided tends to be somewhat confusing; we are all trying to resolve these problems and make the system, the billing and information provided correct and timely. There was no way that the development could have anticipated the demise of YRT2. We shall continue to make the subdivisions and the services top notch.

Thank you for your continued patience.

EXHIBIT C**Public Contact**

Administration Query List Consumer Tracking System

Contact exported to CTS.

Header

Contact Id 2160
Internet Recv Date 9/20/2010
Internet Recv Time 3:05:45 PM
Contact Type Complaint
Name [REDACTED]

The Consumer Can Be Contacted By

Mail Yes
Home Phone No
WorkPhone No
Mobile Phone Yes
Email Yes

Contact Information

Address1 [REDACTED]
Address2 [REDACTED]
City/State/Zip columbia SC 29223
Home Phone
Work Phone
Mobile Phone -
Work Phone Ext
Email

Service/Company/Account

Service Type Telecommunications C
Company Name Jacob Creek and Rabon Farms LLC
Spoke To Company Yes
Date 12/11/2009
Account With Company? No
Account Number
Account Type
Account Name
Address1
Address2
City/State/Zip

Issue/Results Sought**Issue**

I used to have an account with the company but, I canceled my services due to poor customer service and incorrect billing. I am forced to stay with this provider and not get

Exhibit C - Page 2

any service from anyone else. Other carriers have cheaper service as well as better customer service in general. I have the evidence if it is required to show the billing errors. I also do not have any 911 emergency access in my home. This means when I have an emergency, I have no ability to call 911 from my home at all. It was my understanding that all telephone companies were to provide 911 access. Please advise and take this matter into your care. I am not the only neighbor with this problem.

Sincerely,
[REDACTED]

Results Sought

I want 911 access without having to pay for the providers telephone services. I would also like other providers to be allowed to use these lines. Thanks you.. [REDACTED]

Administrator Fields**Comments**

<div></div>

Consumer Tracking System Information

Export Date	9/20/2010
Case Year	2010
Case Nbr	2624
Recv Date	9/20/2010
Assigned To	William Campbell - WCC
Status	Locked - L
Alert	No

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	Staff for a Declaratory Order Against)	
	Jacobs-Rabons Communications, LLC)	CERTIFICATE OF SERVICE
	And Fiber One Consulting, LLC)	
	Requiring Certification as a Telephone)	
	<u>Utility</u>)	

This is to certify that I, Pamela J. McMullan, have this date served one (1) copy of the **PETITION** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

Kenneth C. Hanson, Registered Agent
Jacobs-Rabons Communications LLC
6156 Saint Andrews Road, Suite 101
Columbia, SC 29212

John Anthony Hollingsworth III, Registered Agent
Fiber One Consulting LLC
1801 Hampton Street
Columbia, SC 29201



Pamela J. McMullan

October 19, 2010
Columbia, South Carolina